



THE CITY OF NEW YORK
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March 19, 2013

VIA ECF AND HAND DELIVERY

Honorable Raymond J. Dearie
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: R.J. Osterhoudt v. City of New York, et al., 10-CV-3173 (RJD) (RML)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants City of New York, Officer Black, Officer Gonzalez, Officer Jaime, former Sergeant Marino, and Officer Yanez in the above-referenced matter. On or about March 6, 2013, the parties reached an agreement to settle this matter without further litigation. Pursuant to this agreement, enclosed herein for the Court's endorsement please find a fully executed Stipulation of Settlement and Order of Dismissal.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Max McCann
Assistant Corporation Counsel

Enc.

cc: Honorable Robert M. Levy (via ECF)

David Rankin, Esq. (via ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
R.J. OSTERHOUDT,

Plaintiff,

**STIPULATION AND
ORDER OF DISMISSAL**

-against-

10-CV-3173 (RJD) (RML)

THE CITY OF NEW YORK; New York City Police
Department Officer ("P.O.") HENRY YANEZ (Shield No.
17147); P.O. Former SERGEANT ("SGT.") STEVEN
MARINO (Shield No. 1897); P.O. MICHAEL BLACK (Shield
No. 9664); P.O. LUIS JAIME (Shield No. 16888); P.O.
RALPH GONZALES (Shield No. 9024); in their individual
and official capacities,

Defendants.
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WHEREAS, the parties have reached a settlement agreement and now desire to
resolve the remaining issues raised in this litigation, without further proceedings and without
admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice; and

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to maintain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

Rankin & Taylor PLLC
Attorneys for Plaintiff
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New York, NY 10007
212-226-4507

By: _____


David B. Rankin
Attorney for Plaintiff

By: _____

MICHAEL A. CARDOZO
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City of New York
*Attorney for Defendants City, Jaime,
Marino, Black, Gonzalez and Yanez*
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Max McCann
Assistant Corporation Counsel

SO ORDERED:

Dated: New York, New York
_____, 2013

HON. RAYMOND J. DEARIE
UNITED STATES DISTRICT JUDGE